

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-EIGHTH LEGISLATURE

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**TWENTY-THIRD LEGISLATIVE DAY  
TUESDAY, JANUARY 31, 2006**

Senate Chamber

President Risch called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Bunderson, Burkett, Cameron, Gannon, and Langhorst, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Jillian Marotz, Page.

The Senate advanced to the Third Order of Business.

## **Reading and Correction of the Journal**

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 30, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

## **Petitions, Resolutions, and Memorials**

Senators Bunderson and Gannon were recorded present at this order of business.

### **SJR 105**

#### **BY RESOURCES AND ENVIRONMENT COMMITTEE A JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 23, ARTICLE I, TO PROVIDE THAT ALL WILDLIFE WITHIN THE STATE OF IDAHO SHALL BE PRESERVED, PROTECTED, PERPETUATED AND MANAGED TO PROVIDE CONTINUED SUPPLIES FOR THE CITIZENS OF IDAHO TO HARVEST BY HUNTING, FISHING AND TRAPPING FOR THE CONTINUED BENEFIT OF THE PEOPLE, TO PROVIDE THAT THE TAKING OF WILDLIFE, INCLUDING ALL WILD ANIMALS,

BIRDS AND FISH, BY HUNTING, FISHING AND TRAPPING IS A VALUED PART OF OUR HERITAGE AND SHALL BE A RIGHT PRESERVED FOR THE PEOPLE, TO PROVIDE THAT THE EXERCISE OF THIS RIGHT BY THE PEOPLE SHALL NOT BE PROHIBITED, BUT SHALL BE SUBJECT TO THE LAWS, RULES, AND PROCLAMATIONS OF THE STATE, AND TO PROVIDE THAT THE RIGHTS SET FORTH DO NOT CREATE A RIGHT TO TRESPASS ON PRIVATE PROPERTY OR LEAD TO A DIMINUTION OF OTHER PRIVATE RIGHTS AND SHALL NOT BE CONSTRUED TO PROHIBIT OR IN ANY WAY AFFECT RIGHTS ESTABLISHED TO DIVERT, APPROPRIATE, AND USE WATER PURSUANT TO ARTICLE XV OF THE CONSTITUTION OF THE STATE OF IDAHO OR THE STATUTES AND RULES ENACTED PURSUANT THERETO, OR TO ESTABLISH ANY MINIMUM AMOUNT OF WATER IN ANY STREAM, RIVER, LAKE, RESERVOIR OR OTHER WATERCOURSE OR WATER BODY; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

### **SJM 118**

#### **BY RESOURCES AND ENVIRONMENT COMMITTEE A JOINT MEMORIAL**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, arsenic is a widely distributed, naturally occurring element present in trace amounts in all living organisms and concentrations in drinking water come primarily from natural sources with higher levels being found more frequently in ground water than surface water and also being found more frequently in the West; and

WHEREAS, the Environmental Protection Agency (EPA) is charged with setting standards for contaminants in drinking water and adopted a maximum contaminant level for arsenic of 50 parts per billion (PPB) in 1975 based on a standard that was originally established in 1942 by the Public Health Service; and

WHEREAS, in 2001, the EPA set a new standard for arsenic, reducing the maximum contaminant level for arsenic in drinking water to 10 PPB based on its reliance on a Taiwanese study relating to an assessment of risks associated with dose response curves and since that time, the EPA's primary reliance on the study has been questioned and criticized; and

WHEREAS, the level of 10 PPB becomes enforceable on January 23, 2006, for public water systems, and such systems will be found in violation if they exceed an annual average of 10 PPB during any four quarters; and

WHEREAS, over 90 city and community water systems in Idaho, and similar systems throughout the nation, typically rely on

wells for drinking water, and arsenic tends to occur in higher levels in those areas and all of these water systems are now burdened with constructing water facilities at costs in the millions of dollars to comply with the 10 PPB standard; and

WHEREAS, a number of ecological studies conducted in the United States and elsewhere have found no association between cancer and arsenic in drinking water at 10 to 50 PPB; and

WHEREAS, a recent study of cancer mortality and arsenic in drinking water conducted by Professor Emeritus Lynden Williams of Ohio University finds colon cancer mortality rates are inversely associated with arsenic levels; being highest in those counties where arsenic levels in drinking water are lowest and lowest in those counties where arsenic levels are highest, suggesting that removal of arsenic will increase colon cancer mortality rates.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we urge the enforcement of the reduced maximum contaminant level for arsenic in drinking water be suspended until such time as definitive scientific evidence within the United States validates that consumption of water between 10 to 50 PPB of arsenic increases cancer mortality, or produces some other health problem, and that the health benefit of removing trace amounts of arsenic from drinking water is commensurate with the associated costs of compliance with the new standard.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**SJR 105** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**SJM 118** was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

#### **Reports of Standing Committees**

Senator Cameron was recorded present at this order of business.

January 31, 2006

The JUDICIARY AND RULES Committee reports that **S 1318, S 1319, S 1320, S 1321, S 1322, S 1323, S 1324, S 1325, S 1326, S 1327, S 1328, 1329, and S 1330** have been correctly printed.

DARRINGTON, Chairman

**S 1318, S 1319, S 1320, S 1321, S 1322, S 1323, S 1324, S 1325, S 1326, S 1327, and S 1328** were referred to the Judiciary and Rules Committee.

**S 1329 and S 1330** were referred to the Finance Committee.

January 31, 2006

The JUDICIARY AND RULES Committee reports out **S 1275, S 1296, S 1297, and S 1300** with the recommendation that they do pass.

DARRINGTON, Chairman

**S 1275, S 1296, S 1297, and S 1300** were filed for second reading.

January 31, 2006

The FINANCE Committee reports out **S 1329 and S 1330** with the recommendation that they do pass.

CAMERON, Chairman

**S 1329 and S 1330** were filed for second reading.

January 31, 2006

The EDUCATION Committee reports out **S 1308** with the recommendation that it do pass.

GOEDDE, Chairman

**S 1308** was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

#### **Messages from the Governor**

January 30, 2006

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John V. Evans of Burley, Idaho, was appointed as a member of the Idaho Energy Resources Authority to serve a term commencing January 20, 2006, and expiring June 30, 2006.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

Sincerely,  
/s/ Dirk Kempthorne  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

### **Messages from the House**

Senators Burkett and Langhorst were recorded present at this order of business.

January 30, 2006

Mr. President:

I transmit herewith **H 405** and **H 406** which have passed the House.

JUKER, Chief Clerk

**H 405** and **H 406** were filed for first reading.

January 30, 2006

Mr. President:

I return herewith **S 1277**, **S 1278**, and **SJM 113** which have passed the House.

JUKER, Chief Clerk

**S 1277**, **S 1278**, and **SJM 113** were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### **Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials**

#### **S 1331**

#### **BY JUDICIARY AND RULES COMMITTEE**

#### **AN ACT**

RELATING TO PAROLE; AMENDING SECTION 20-223, IDAHO CODE, TO REFERENCE MENTAL HEALTH PROFESSIONALS DESIGNATED BY THE DEPARTMENT OF CORRECTION FOR PURPOSES OF EXAMINATION AND EVALUATION AND TO PROVIDE THAT NO PERSON MAKING AN EVALUATION SHALL BE HELD FINANCIALLY LIABLE FOR DENIAL OF PAROLE OR FOR FUTURE ACTS OF A PAROLEE; AND DECLARING AN EMERGENCY.

#### **S 1332**

#### **BY JUDICIARY AND RULES COMMITTEE**

#### **AN ACT**

RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT; AMENDING SECTION 7-1058, IDAHO

CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1001, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE DEFINITIONS; AMENDING SECTION 7-1002, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1003, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO REMEDIES; AMENDING SECTION 7-1004, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE PROVISIONS APPLICABLE TO BASES FOR JURISDICTION OVER NONRESIDENTS; AMENDING SECTION 7-1005, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DESCRIPTIVE LANGUAGE AND TO SET FORTH THE DURATION OF PERSONAL JURISDICTION; AMENDING SECTION 7-1006, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1007, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DESCRIPTIVE LANGUAGE AND TO REMOVE LANGUAGE REFERENCING A PETITION OR COMPARABLE PLEADING; AMENDING SECTION 7-1008, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE PROVISIONS APPLICABLE TO JURISDICTION TO MODIFY CHILD SUPPORT ORDERS; AMENDING SECTION 7-1009, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE PROVISIONS APPLICABLE TO JURISDICTION TO ENFORCE CHILD SUPPORT ORDERS; AMENDING SECTION 7-1010, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE PROVISIONS APPLICABLE TO DETERMINING CONTROLLING CHILD SUPPORT ORDERS; AMENDING SECTION 7-1011, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE REFERENCES TO MULTIPLE REGISTRATIONS, PETITIONS OR ORDERS; AMENDING SECTION 7-1012, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO CREDIT FOR PAYMENTS; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1014, IDAHO CODE, TO PROVIDE FOR APPLICATION TO NONRESIDENTS SUBJECT TO PERSONAL JURISDICTION; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1015, IDAHO CODE, TO PROVIDE FOR JURISDICTION TO MODIFY SPOUSAL SUPPORT ORDERS; AMENDING SECTION 7-1013, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO PROCEEDINGS; AMENDING SECTION 7-1014, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE DESCRIPTIVE LANGUAGE; AMENDING SECTION 7-1015, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS RELATING TO APPLICATION OF LAW; AMENDING SECTION 7-1016, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO DUTIES OF INITIATING TRIBUNALS; AMENDING SECTION 7-1017, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE

PROVISIONS APPLICABLE TO THE DUTIES AND POWERS OF RESPONDING TRIBUNALS; AMENDING SECTION 7-1018, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REFERENCE THE TRIBUNAL; AMENDING SECTION 7-1019, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO DUTIES OF SUPPORT ENFORCEMENT AGENCIES; AMENDING SECTION 7-1020, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE DUTIES OF THE ATTORNEY GENERAL; AMENDING SECTION 7-1021, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1022, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE DUTIES OF THE STATE INFORMATION AGENCY; AMENDING SECTION 7-1023, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO PLEADINGS AND ACCOMPANYING DOCUMENTS; AMENDING SECTION 7-1024, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO THE NONDISCLOSURE OF CERTAIN INFORMATION; AMENDING SECTION 7-1025, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE CODE REFERENCES; AMENDING SECTION 7-1026, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO LIMITED IMMUNITY OF PETITIONERS; AMENDING SECTION 7-1027, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1028, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO SPECIAL RULES OF EVIDENCE AND PROCEDURE; AMENDING SECTION 7-1029, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO COMMUNICATIONS BETWEEN TRIBUNALS; AMENDING SECTION 7-1030, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1031, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO RECEIPT AND DISBURSEMENT OF PAYMENTS; AMENDING SECTION 7-1032, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO PETITIONS TO ESTABLISH SUPPORT ORDERS; AMENDING SECTION 7-1033, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO AN EMPLOYER'S RECEIPT OF AN INCOME-WITHHOLDING ORDER OF ANOTHER STATE; AMENDING SECTION 7-1034, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO AN EMPLOYER'S COMPLIANCE WITH AN INCOME-WITHHOLDING ORDER OF ANOTHER STATE; AMENDING SECTION 7-1035, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE PROVISIONS APPLICABLE TO AN EMPLOYER'S COMPLIANCE WITH TWO OR MORE INCOME-WITHHOLDING ORDERS; AMENDING SECTION 7-1036, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO IMMUNITY

FROM CIVIL LIABILITY; AMENDING SECTION 7-1037, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1038, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO CONTESTS BY OBLIGORS; AMENDING SECTION 7-1039, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE A REFERENCE TO A SUPPORT ENFORCEMENT AGENCY; AMENDING SECTION 7-1040, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 7-1041, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO THE PROCEDURE TO REGISTER AN ORDER FOR ENFORCEMENT; AMENDING SECTION 7-1042, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE CODE REFERENCES; AMENDING SECTION 7-1043, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO CHOICE OF LAW; AMENDING SECTION 7-1044, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO NOTICE OF REGISTRATION OF ORDER; AMENDING SECTION 7-1045, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO THE PROCEDURE TO CONTEST THE VALIDITY OR ENFORCEMENT OF A REGISTERED ORDER; AMENDING SECTION 7-1046, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO CONTESTS OF REGISTRATION OR ENFORCEMENT; AMENDING SECTION 7-1047, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 7-1048, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE CODE REFERENCES AND TO MAKE A GRAMMATICAL CHANGE; AMENDING SECTION 7-1049, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE AND PROVIDE CODE REFERENCES; AMENDING SECTION 7-1050, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO THE MODIFICATION OF A CHILD SUPPORT ORDER OF ANOTHER STATE; AMENDING SECTION 7-1051, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO THE RECOGNITION OF AN ORDER MODIFIED IN ANOTHER STATE; AMENDING SECTION 7-1052, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO JURISDICTION TO MODIFY SUPPORT ORDERS IN CERTAIN CASES; AMENDING SECTION 7-1053, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO NOTICES OF MODIFICATION; AMENDING CHAPTER 10, TITLE 7, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 7-1057, IDAHO CODE, TO PROVIDE FOR JURISDICTION TO MODIFY A CHILD SUPPORT ORDER OF A FOREIGN COUNTRY OR POLITICAL SUBDIVISION; AMENDING SECTION 7-1054, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO

PROCEEDINGS TO DETERMINE PARENTAGE; AMENDING SECTION 7-1055, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO GROUNDS FOR RENDITION; AMENDING SECTION 7-1056, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO CONDITIONS OF RENDITION; AMENDING SECTION 7-1057, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS APPLICABLE TO UNIFORMITY OF APPLICATION AND CONSTRUCTION; AND AMENDING SECTION 7-1059, IDAHO CODE, TO REDESIGNATE THE SECTION.

### **S 1333**

#### **BY EDUCATION COMMITTEE**

##### **AN ACT**

RELATING TO EDUCATIONAL STAFF ALLOWANCE EXPERIENCE AND EDUCATION MULTIPLIER; AMENDING SECTION 33-1004A, IDAHO CODE, TO PROVIDE AN ADDITIONAL MULTIPLIER FOR INSTRUCTIONAL STAFF WHO SPEND A MAJORITY OF THEIR TIME PROVIDING MATH OR SCIENCE INSTRUCTION, TO PROVIDE A CONDITION FOR ELIGIBILITY FOR INSTRUCTIONAL STAFF TEACHING AT THE SECONDARY LEVEL, TO PROVIDE FOR DISTRIBUTION OF MONEYS GENERATED BY APPLICATION OF THE ADDITIONAL MULTIPLIER AND TO MAKE TECHNICAL CHANGES.

**S 1331**, **S 1332**, and **S 1333** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 405** and **H 406**, by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

**H 440**, by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### **Third Reading of Bills**

**S 1255** was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Davis and Kelly arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly,

Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1255** passed, title was approved, and the bill ordered transmitted to the House.

**S 1256** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1256** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 11:30 a.m., Wednesday, February 1, 2006.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary